

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:
ALL CASES

MDL No. 2804

Case No. 1:16-cv-06378-RJS

Judge Dan Aaron Polster

**DISTRIBUTOR DEFENDANTS' AND MANUFACTURER DEFENDANTS'
RESPONSE IN SUPPORT OF THE DEA'S MOTION FOR
PROTECTIVE ORDER REGARDING ARCOS DATA**

The following Defendants hereby file this Response in Support of the DEA's Motion for Protective Order Regarding ARCOS Data (Dkt. No. 162) (the "DEA's Motion"):

1. Distributor Defendants: AmerisourceBergen Drug Corporation; Cardinal Health, Inc.; McKesson Corporation; Miami-Luken, Inc.; Top Rx; H. D. Smith; Kroger Limited Partnership I and II; KeySource Medical, Inc.; and Masters Pharmaceutical, Inc.

2. Manufacturer Defendants: Allergan Finance LLC; Endo Health Solutions Inc. and Endo Pharmaceuticals Inc.; Insys Therapeutics, Inc.; Johnson & Johnson and Janssen Pharmaceuticals, Inc.; Mallinckrodt LLC; Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company Inc.; Teva Pharmaceuticals USA, Inc., and Cephalon Inc.

The above-listed Defendants do not object to the proposed Protective Order Regarding DEA ARCOS Data attached as Exhibit A to the DEA's Motion, which covers the limited production of DEA ARCOS data discussed by the Court in its Order dated March 1, 2018 (Dkt. No. 155). While there are further protections that Defendants advocated for, the DEA's proposal is acceptable to the above-listed Defendants as it sufficiently balances the interests of

confidentiality and the need for information as part of the ongoing discussions amongst the parties.

By agreeing to the Protective Order the above-listed defendants do not waive their objection to the release of ARCOS data or to seek further protections if additional data beyond that at issue now is sought.

Respectfully submitted,

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*Counsel for Defendant Cardinal Health, Inc.
and on behalf of the above-listed Defendants*

Dated: March 2, 2018

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 2nd of March, 2018, the foregoing was filed using the Court's CM/ECF filing system and will be served via the Court's CM/ECF filing system on all attorneys of record.

/s/ Robert A. Nicholas
Robert A. Nicholas